

### REMARKS:

The Applicants thank the Examiner for his efforts in telephone conversions with the Applicants' representatives, and his offer to make an Examiner's amendment.

Claims 2, 3, and 10-46 have been cancelled without prejudice or disclaimer. New ~~claims 47-71 have been added.~~ Claims 1 and 4-9 have been amended. A marked-up version of the claims is included in the attached Appendix. These amendments add no new matter. Claims 47-71 add no new matter. With the entry of this amendment, claims 1, 4-9, and 47-71 are pending.

Support for the claim amendments can be found, for example, in the Table describing "Amended Claims" given below.

#### **Amended Claims**

<b>Claim No. and Amendment</b>	<b>Support for Amendments</b>
<b>1</b> "... <u>large scale</u> ..."	Page 1, lines 16-17; page 11, lines 26-28.
"... <u>in high to quantitative yield and without the need for chromatographic purification</u> ..."	Page 2, lines 20-21; page 10, lines 18-20; and page 11, lines 26-28.
"... <u>wherein the hydrogenation step is performed with hydrogen in the presence of a reduction catalyst and a solvent.</u> "	Original claim 2.
<b>4</b> "... <u>alumina powder, and</u> ..."	Page 9, lines 28-33..
<b>5</b> "... <u>about 10% palladium</u> ..."	Page 10, lines 20-22.
<b>8</b> "... <u>absolute</u> methanol, <u>absolute</u> ethanol, and <u>ethyl</u> acetate."	Page 10, lines 13-14.

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In addition to the claim amendments described in the table above, claims 4-9 have also been amended to change claim dependencies and to present claims in a proper Markush format.

New claims 47-71 have been added. New claims 47-56 ultimately depend from claim 1. Support for these new claims can be found, for example, in the originally filed claims and throughout the specification as indicated below in the Table describing "New Claims."

New claim 57 is similar to originally-filed claim 40, but has incorporated the language of claim 1 and is presented as an independent claim. New claims 58-71 depend ultimately from new claim 57. Support for these new claims 57-71 can be found, for example, in the originally filed claims and throughout the specification as described in the Table "New Claims" below.

#### **New Claims**

<b>Claim No.</b>	<b>Support for New Claims</b>
47	Page 9, lines 28-33.
48	Original claim 9.
49	Page 10, lines 13-14.
50	Originally filed claim 7.
51	Page 10, line 31 to page 11, line 4.
52	Example 13; page 18, line 11 to page 19, line 3.
53	Page 20, lines 7-10
54	Page 18, lines 27-29
55	Page 10, lines 1-3.
56	Page 11, lines 28-30.
57	Original claims 1 and 40
58	Original claim 4.

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59	Original claim 6.
60	Original claim 5.
61	Page 9, lines 28-33.
62	Original claim 7.
63	Original claim 8 and page 10, lines 13-14.
64	Original claim 9.
65	Original claim 9.
66	Page 10, lines 13-14.
67	Original claim 7.
68	Page 10, line 31 to page 11, line 4.
69	Example 13; page 18, line 11 to page 19, line 3.
70	Page 20, lines 7-10.
71	Page 18, lines 27-29

### Conclusion

Applicants respectfully request the entry and consideration of this Preliminary Amendment into this application. Furthermore, Applicants respectfully request the timely allowance of all pending claims.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
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Dated: September 26, 2002

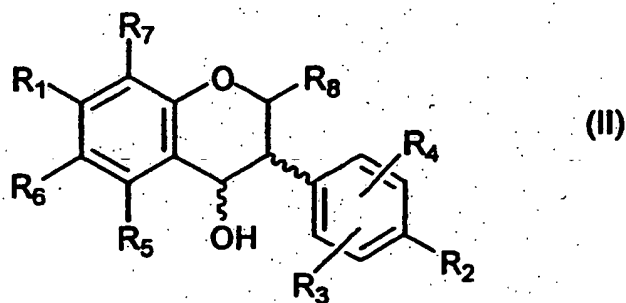
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## APPENDIX

- (Amended) A method for the large scale preparation of a compound of formula II



wherein

R<sub>1</sub>, R<sub>2</sub>, R<sub>3</sub>, R<sub>4</sub>, R<sub>5</sub>, R<sub>6</sub>, R<sub>7</sub> and R<sub>8</sub> are independently hydrogen, hydroxy, OR<sub>9</sub>, OC(O)R<sub>9</sub>,

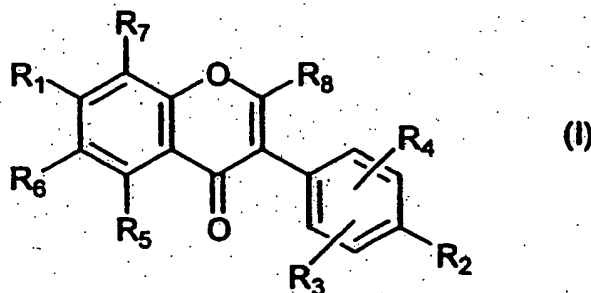
OS(O)R<sub>9</sub>, alkyl, haloalkyl, aryl, arylalkyl, thio, alkylthio, amino, alkylamino,

dialkylamino, nitro, or halo[,] ; and

R<sub>9</sub> is alkyl, haloalkyl, aryl, arylalkyl or alkylaryl[,] ;

in high to quantitative yield and without the need for chromatographic purification;

comprising the step of hydrogenating a compound of formula I



wherein

R<sub>1</sub>, R<sub>2</sub>, R<sub>3</sub>, R<sub>4</sub>, R<sub>5</sub>, R<sub>6</sub>, R<sub>7</sub>, R<sub>8</sub> and R<sub>9</sub> are as defined above;

to prepare a compound of formula II; and  
wherein the hydrogenation step is performed with hydrogen in the presence of a  
reduction catalyst and a solvent.

4. (Amended) A method of claim [3] 1, wherein the reduction catalyst is selected from  
the group comprising palladium on activated carbon, palladium on barium sulfate,  
alumina powder, and [or] platinum (IV) oxide.
5. (Amended) A method of claim [3] 4, wherein the reduction catalyst is about 10%  
palladium on activated carbon [(1% Pd to 10% Pd)].
6. (Amended) A method of claim [5] 4, wherein the reduction catalyst is about 5%  
palladium on activated carbon.
7. (Amended) A method of claim [2] 1, wherein the solvent is selected from the group  
comprising a C<sub>1</sub>-C<sub>8</sub> alcohol, an alkyl acetate, and [or] a C<sub>1</sub>-C<sub>3</sub> carboxylic acid.
8. (Amended) A method of claim [2] 7, wherein the solvent is absolute methanol,  
absolute ethanol, and ethyl [or C<sub>1</sub>-C<sub>6</sub> alkyl] acetate.
9. (Amended) A method of claim 8, wherein the solvent is absolute methanol [or  
absolute ethanol].

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